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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,179	08/01/2001	Joseph Michael Bennett		4496
34457 7	7590 07/11/2003			
	ECHNOLOGY LAW	EXAMINER		
BOX 258 3370 NORTH	HAYDEN ROAD, NO.	NGUYEN, DINH Q		
SCOTTSDAL	•			
	•		ART UNIT	PAPER NUMBER
			3752	1
			DATE MAILED: 07/11/2003	Ø

Please find below and/or attached an Office communication concerning this application or proceeding.

					M				
		Appli	cation No.	Applicant(s)					
Office Action Summary			0,179		BENNETT, JOSEPH MICHAEL				
		Exam	iner	Art Unit	-				
			2 Nguyen	3752					
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after-SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status									
1)	Responsive to communication(s) file	ed on <u>01 August</u>	<u> 2001</u> .						
2a)□	This action is FINAL .	b)⊠ This actio	n is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims									
4)⊠ Claim(s) <u>1-20</u> is/are pending in the application.									
4a) Of the above claim(s) is/are withdrawn from consideration.									
5) Claim(s) is/are allowed.									
6)	6) Claim(s) is/are rejected.								
7)	7) Claim(s) is/are objected to.								
8)⊠	Claim(s) 1-20 are subject to restriction	n and/or election	requirement.						
Applicati	on Papers								
9) 🔲 🗆	The specification is objected to by the	Examiner.	,						
10)[] 7	The drawing(s) filed on is/are:	a)□ accepted or t	o) objected to by the	e Examiner.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).									
11) 🔲 🖯	The proposed drawing correction filed	on is: a)[☐ approved b)☐ dis	approved by the Examin	er.				
If approved, corrected drawings are required in reply to this Office action.									
12) The oath or declaration is objected to by the Examiner.									
Priority under 35 U.S.C. §§ 119 and 120									
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).									
a) ☐ All b) ☐ Some * c) ☐ None of:									
	1. Certified copies of the priority documents have been received.								
	2. Certified copies of the priority documents have been received in Application No								
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 									
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).									
 a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 									
Attachment(s)									
1) Notice	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (P nation Disclosure Statement(s) (PTO-1449) Pa			immary (PTO-413) Paper No formal Patent Application (PT					

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DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I, Figure 1

Species II, Figure 2

Species III, Figure 3

Species IV, Figure 4

Species V, Figure 5

Species VI, Figure 6

Species VII, Figure 7

Species VIII, Figure 8

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, it appears that no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include

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all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

- 2. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dinh Q Nguyen whose telephone number is (703) 305-0248. The examiner can normally be reached on Monday-Friday 6:30-4:00 alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mar can be reached on (703) 308-2087. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.

dqn July 11, 2003

Dinh Nguyen

Patent Examiner

Lik Djiger